

July 9, 2012

The Randolph County Board of Commissioners met in regular session at 6:00 p.m. in the 1909 Randolph County Historic Courthouse Meeting Room, 145 Worth Street, Asheboro, NC. Commissioners Holmes, Frye, Haywood, Kemp and Lanier were present. Chairman Holmes asked for a moment of silence in keeping with Randolph County's Quaker heritage, after which, everyone recited the Pledge of Allegiance.

Public Comment Period

Pursuant to N.C.G.S. § 153A-52.1, Chairman Holmes opened the floor for public comment.

Commissioner Haywood asked why a moment of silence was observed rather than a prayer being said, and offered to pray himself. At that point, Commissioner Haywood gave an invocation prayer.

Hearing no further comments, the public comment period was closed.

Special Recognition

Chairman Holmes recognized Ronnie Thompson for his 33½ years of service to Emergency Services, and Donovan Davis, Emergency Services Director, read Mr. Thompson's bio. Chairman Holmes presented Mr. Thompson with an engraved clock on behalf of the Board, and then presented him with the State of North Carolina's highest civilian honor, the Order of the Long Leaf Pine.

Approval of Consent Agenda

On motion of Frye, seconded by Lanier, the Board voted unanimously to approve the Consent Agenda, as follows:

- *approve minutes of regular meeting of 6/4/12 and budget meetings of 5/29/12, 6/7/12, 6/11/12 & 6/18/12;*
- *appoint Phyllis Bell and Shirley Harrington to Nursing Home Community Advisory Committee (1-yr. initial terms);*
- *reappoint Phil Kemp, Judge Bradford Long, Garland Yates, Sheriff Maynard Reid, Cpt. Jody Williams & Rick Dietz to the Randolph County Criminal Justice Partnership Advisory Board;*
- *approve Budget Amendment #3 for 2009 CDBG Standard Housing Grant (\$148 final cost incurred after closeout), as follows:*

<i>FY09 CDBG Scattered Site Grant Ordinance</i>		
<i>Budget Amendment #3</i>		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Restricted Intergovernmental</i>	<i>\$ 148</i>	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Administration</i>	<i>\$ 148</i>	

Addition to Agenda

Chairman Holmes announced that *Item I. Closed Session to Consult with our Attorney* had been added to the agenda.

Presentation and Acceptance of Annual Settlement Report

Debra Hill, Tax Assessor/Collector, presented the collection settlement reports (real and personal property and motor vehicles) for FY 2011-2012, as required by G.S. 105-373, and mentioned the following highlights:

- The 2011-2012 collections rate for the County is 99.11%. The overall collection rate for all tax districts on real estate, business and individual personal property is 99.19%.
- 2011-2012 delinquent taxes totaled \$664,201.06. Total delinquent taxes for all years are \$1,395,536.00, which includes bankruptcy (\$346,187.14) and Property Tax Commission appeals (\$21,421.24).
- The Registered Motor Vehicle collection rate is 87.08%. Total vehicles billed were 138,490. Total value was \$990,382,488. Average vehicle is \$7,151.
- Average collection rates statewide from LGC RMV = 87.21%, Annual = 97.91%
- The amount of discount given for early payment of taxes is \$1,004,252.00, which is 61.13% of annual taxes paid during this period.
- Minimal Taxes Report: the total amount released for \$3.50 or less of original principal amount tax bill was \$22,290.00. A total of 79.19% of the minimal tax bills were registered motor vehicle bills and 20.81% were annual bills.
- Attachments/garnishments totaled 12,541 tax bills between 7/6/11 and 6/20/12 (bank attachments: 1,537, monies attachments: 122, rent attachments: 84, and wage garnishments: 10,798.

On motion of Kemp, seconded by Haywood, the Board unanimously accepted the Tax Assessor/Collector's collection settlement reports for FY 2011-2012, as presented, which included:

Taxes uncollectable for years 2002-2011 fiscal years due to bankruptcy										
	2002 (\$)	2003 (\$)	2004 (\$)	2005 (\$)	2006 (\$)	2007 (\$)	2008 (\$)	2009 (\$)	2010 (\$)	2011 (\$)
BK 07	48366.67	952.89	55528.03	0	1348.7	1203.61	1424.28	0	15734.63	2283.97
BK 11	13809.94	0	603.68	495.27	392.35	5043.5	14967.71	0	52272.86	0
BK 13	4.75	3.51	119.92	216.52	541.82	514.49	1769.66	1822.82	4291.94	4900.25
PP Bk	112.86	948.79	60.98	0	5.85	411.91	2360.98	18772.79	24131.11	70768.1
Total	62,294.22	1,905.19	56,312.61	711.79	2,288.72	7,173.51	20,522.63	20,595.61	96,430.54	77,952.32
Total of 2002-2011 Years = \$346,187.14										
BK 07: Chapter 7 Bankruptcy usually last only 306 months-no assets										
BK 11: Chapter 11 Bankruptcy filed by businesses who are reorganizing										
BK 13: Chapter 13 Bankruptcy can last as long as 5-6 years. Payments received through courts										
PP BK: Post Petition Bankruptcy claims for real estate Chapter 13 bills and any other bills incurred after initial filing										

Real, Individual, Business and Public Utilities**All Districts**

Beginning Balance Current	\$81,077,083.00
Public Utilities	\$2,040,754.00
Supplemental & Discoveries	\$829,839.00
Less Adjustments & Releases	\$1,803,829.00
Net Levy	\$82,143,847.00

Collections Current	\$81,470,329.00	99.19% Collection Rate
Collections Delinquent	\$1,542,562.00	
Total Collections	\$83,012,891.00	

Total Ending Receivables	\$1,395,536.00
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Registered Motor Vehicle

Billing for 2011	\$8,460,090.00
Additions	\$15,907.00
Less Adjustments & Releases	\$145,207.00
Net Levy	\$8,330,790.00

Collections Current	\$7,254,427.00	87.08% Collection Rate
Collections Delinquent	\$970,202.00	
Total Collections	\$8,224,629.00	

Total Ending Receivables	\$2,003,421.00
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Releases for Real, Individual, Business, Public Utilities & Registered Motor Vehicles

Discount Releases	\$1,004,252.00
Less Than \$3.50 Minimum Bill	\$22,290.00
Releases & adjustments Current	\$922,494.00
Releases & adjustments Prior	\$124,762.00

Other Fees Collected

Current Year Fee Collection	\$425,098.00
Prior Year Fee Collection	\$192,654.00
RMV Current Fee Collection	\$147,697.00
RMV Prior Fee Collection	\$228,289.00

2011-2012 Fiscal Year Delinquent List	
Real Estate	\$523,034.23
Individual Personal Property	\$104,004.49
Business Personal Property	\$37,162.34
TOTAL:	\$664,201.06

Charge to Tax Collector to Collect Taxes

Chairman Holmes read the charge to collect taxes to Debra Hill, Tax Supervisor, as follows:

Debra P. Hill is hereby authorized, empowered and commanded to collect the taxes set forth in the tax records filed in the office of the County Assessor and in the tax records delivered to her, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the County of Randolph, and this order shall be a full and sufficient authority to direct, require, and enable her to levy on and sell any real and personal property of such taxpayers, for and on account thereof, in accordance with law.

Approval of 2012-13 Randolph County Classification Plan

Jill Williams, Assistant Human Resources Director, requested approval of the 2012-2013 Randolph County Classification Plan, to be effective July 1, 2012. Approval is required pursuant to the Randolph County Personnel Ordinance and Office of State Personnel compliance requirements. Existing pay grades remain the same. The plan includes the following title addition: Assistant Human Resources Director (Grade 20).

On motion of Lanier, seconded by Frye, the Board voted unanimously to approve the 2012-2013 Randolph County Classification Plan, as presented, effective July 1, 2012.

Annual Report of the Historic Landmark Preservation Commission (HLPC)

Hal Johnson, HLPC Chairman, provided an annual update as required by the ordinance creating the Commission, which was adopted by the Board of County Commissioners on June 2, 2008. The purpose of the Commission is to identify and formally recommend to the County Commissioners or participating municipalities, historic landmarks that embody important elements of the history, architecture, and heritage of Randolph County. The Commission consists of nine members and one alternate, all of whom are appointed by the County Commissioners. Mr. Johnson said that 17 local historic landmarks have been formally designated by the Randolph County Historic Landmark Commission and approved by the governing bodies of the participating local governments, and he provided a PowerPoint presentation showing all the designations, as follows: 1909 Old County Courthouse; 1802 Sandy Creek Primitive Baptist Church, 1922 Old County Rest Home; 1838 Franklinsville Mfg. Co.; 1855 Trinity Museum/Winslow House; 1782 Col. Andrew Balfour Cemetery; 1911 Pisgah Covered Bridge; 1775-1800 Mt. Shepherd Archeological Site; 1929 Sunset Theatre; 1850 Hanks Masonic Lodge; 1938 Asheboro Municipal Building; 1929 Charles McCrary House; and the 1939 J. Frank McCrary House; 1848 Austin Lawrence House; 1921 John Wesley's Stand; 1860 Marmaduke Robins Law Office; and the 1888 Fisher Estate Gatekeepers House. Mr. Johnson also mentioned that the HLPC had designated the 1951 Randolph High School as a Cultural Historic Landmark.

Approval of Budget Amendment for Transfer to Water Fund

Will Massie, Assistant County Manager/Finance Officer, said that Randolph County has a commitment to purchase an allotment of treated water from the Piedmont Triad Regional Water Authority. The Board created a Water Fund to account for the bulk purchase and sale of this water. We are still in the process of selling our allotment. For cash flow purposes, the Water Fund needs monies for the debt service payments and operating expenses owed to the Authority. The first of this year's two debt service payments is in August. Accordingly, a transfer from the General Fund is needed to enable the Water Fund to meet this obligation. Mr. Massie mentioned that the Water

Authority recently refinanced its debt on the water treatment plant; Randolph County's debt service payment dropped by \$106,000 per year.

On motion of Frye, seconded by Haywood, the Board voted unanimously to approve the following budget amendments to effect the transfer of monies to the County's Water Fund:

2012-2013 Budget Ordinance General Fund—Budget Amendment #1		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Transfer to Water Fund</i>	<i>\$1,500,000</i>	
<i>Appropriations</i>	<i>Increase</i>	<i>Decrease</i>
<i>Appropriated Fund Balance</i>	<i>\$1,500,000</i>	

2012-2013 Budget Ordinance Water Fund—Budget Amendment #1		
<i>Revenues</i>	<i>Increase</i>	<i>Decrease</i>
<i>Transfer from General Fund</i>	<i>\$1,500,000</i>	
<i>Bulk Sale of Water</i>		<i>\$1,500,000</i>

Designate Voting Delegate for NACo Conference

On motion of Haywood, seconded by Lanier, the Board voted unanimously to designate Darrell Frye as the voting delegate for the 2012 NACo annual conference.

Regional Update

Vice Chair Frye said that Guilford County had joined the Piedmont Triad Regional Council.

Closed Session—Economic Development [N.C.G.S.143-318.11(a)(4)] & Consultation with Attorney –[N.C.G.S.143-318(a)(5)]

At 6:47 p.m., on motion of Frye, seconded by Lanier, the Board voted unanimously to go into closed session to discuss matters relating to the location or expansion of business in the area, pursuant to N.C.G.S.143-318.11(a)(4) and to consult with our attorney to consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action, pursuant to NCGS 143-318.11(a)(3).

Regular Session Resumed

On motion of Frye, seconded by Lanier, the Board voted unanimously to pursue the employment of an attorney to represent the County in the ongoing permitting process of a proposed regional landfill in the county and also to hire another neutral attorney to represent and advise the Planning Board when the County requests the special use permit for the proposed regional landfill to avoid any possible conflict of interest.

RCC Board Appointment

Vice Chair Frye said that Commissioner Haywood has determined that he will be unable to fulfill his appointment (by the Board of Commissioners at their June 4, 2012 meeting) to the Randolph Community College Board of Trustees due to other obligations. County Attorney Ben Morgan advised Commissioner Haywood to provide a letter, if appropriate, stating his inability to serve on the Board of Trustees. At the time such a letter is received by the Board, the Commissioners can consider someone else for appointment.

On motion of Frye, seconded by Lanier, the Board voted 4-0, with Commissioner Haywood recusing himself from voting due to conflict of interest, upon receipt of a letter from Commissioner Haywood indicating his intent to resign as a member of the Randolph Community College Board of Trustees, to direct the Clerk to place on the August meeting agenda an item to consider an appointment to the Community College's Board of Trustees.

Adjournment

At 7:50 p.m., on motion of Frye, seconded by Holmes, the Board voted unanimously to adjourn.

J. Harold Holmes, Chairman

Darrell L. Frye

Phil Kemp

Stan Haywood

Arnold Lanier

Cheryl A. Ivey, Clerk to the Board